



House of Representatives

File No. 700

General Assembly

February Session, 2014

(Reprint of File No. 301)

Substitute House Bill No. 5419
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 28, 2014

AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) The Commissioner of
2 Agriculture may place a conservation or a preservation restriction, as
3 defined in section 47-42a of the general statutes, on the property
4 known as the "Savin Farm" and located in the town of Lebanon. Any
5 such conservation or preservation restriction: (1) May provide for the
6 conservation of said farm for agricultural use, (2) may allow for the
7 lease, permit or license by the commissioner of any portion of said
8 farm to one or more persons or entities for the purpose of engaging in
9 agriculture, as defined in section 1-1 of the general statutes, and (3)
10 shall allow for the continuance of any activities that historically took
11 place on said farm, in accordance with the draft memorandum of
12 understanding between the Department of Agriculture and the
13 Department of Environmental Protection, dated October 23, 1995.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill allows the Department of Agriculture to place a conservation easement or preservation restriction on the property known as "Savin Farm" located in the town of Lebanon. As the agency currently has a boundary survey for this purpose, this is not anticipated to result in a fiscal impact.

House "A" replaces the underlying bill which results in the impact described above.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5419 (as amended by House "A")******AN ACT CONCERNING THE PRESERVATION OF THE SAVIN FARM IN LEBANON.*****SUMMARY:**

This bill specifically authorizes the Department of Agriculture (DoAg) commissioner to place a conservation or preservation restriction on the state's "Savin Farm" property in Lebanon. By law, landowners (including the state) may create conservation restrictions in written instruments to maintain land or water areas predominantly in their natural, scenic, or open condition, or in agricultural, farming, forest, or open space use. Preservation restrictions are similar, but are meant to preserve historically significant structures or sites (CGS § 47-42a).

Under the bill, a conservation or preservation restriction on the farm may (1) conserve the property for agricultural use and (2) enable the commissioner to lease, permit, or license any part of the farm to one or more people or entities to engage in agriculture. It requires a restriction to allow for the continuance of any activities that historically took place on the farm, according to the October 23, 1995 draft memorandum of understanding between DoAg and the Department of Environmental Protection (now the Department of Energy and Environmental Protection).

*House Amendment "A" replaces the original file which established a procedure to preserve and manage the "Savin Farm" property by requiring DoAg to grant a permanent conservation easement on the farm to a nonprofit organization.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 24 Nay 4 (03/17/2014)

Government Administration and Elections Committee

Joint Favorable

Yea 13 Nay 0 (04/11/2014)